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**FACSIMILE SUBMISSION UNDER 37 CFR 1.8**

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| TO:           | Mail Stop Amendment<br>Examiner Fangemonique A. Smith | FROM:                               | Jason D. Kelly   |
| COMPANY:      | U.S. Patent & Trademark Office                        | DATE:                               | January 15, 2008 |
| FAX NUMBER:   | 571-273-8300                                          | TOTAL NO. OF PAGES INCLUDING COVER: | 3                |
| PHONE NUMBER: | 571-272-8160                                          | SENDER'S REFERENCE NUMBER:          | 1023-360US01     |
| RE:           | Supplemental Information Disclosure<br>Statement      | APPLICATION SERIAL NUMBER:          | 10/825,964       |

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PATENT

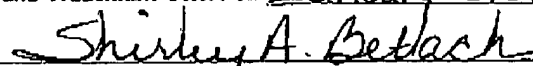
IN THE UNITED STATES PATENT AND TRADEMARK OFFICERECEIVED  
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|             |                                       |                  |                |
|-------------|---------------------------------------|------------------|----------------|
| Applicant:  | Kenneth T. Heruth;<br>Keith A. Miesel | Confirmation No. | 8232           |
| Serial No.: | 10/825,964                            | Filed:           | April 15, 2004 |
| Examiner:   | Fangemonique A. Smith                 | Group Art Unit:  | 3736           |
| Docket No.: | 1023-360US01                          | Customer No.:    | 28863          |
| Title:      | DETECTING SLEEP                       |                  |                |

CERTIFICATE UNDER 37 CFR 1.8 I hereby certify that this correspondence is being transmitted via facsimile to the United States Patent and Trademark Office on January 15, 2008.

By:



Name: Shirley A. Betlach

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment  
Commissioner for Patents  
Alexandria, VA 22313-1450

Dear Sir:

Applicant submits the references listed on the attached form PTO-1449. This Information Disclosure Statement is being filed after a first Office Action on the merits but before a Notice of Allowance or a Final Rejection.

Copies of the U.S. patent and publications are not enclosed as this requirement has been waived by the U.S. Patent Office.

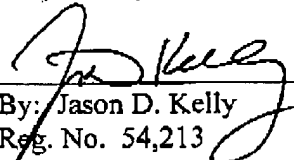
Please charge Deposit Account No. 50-1778 in the amount of \$180.00 to cover the required fee set forth in §1.17(p) for a large entity. Please apply any other charges or credits to Deposit Account No. 50-1778.

Respectfully submitted,

Date:

1/11/08

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